

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CHARLES HILL,

Plaintiff,

VS.

KELLOGG USA, INC.,

Defendant.

CASE NO 8:02CV436

ORDER OF DISMISSAL

This matter is before the Court on the parties' Stipulation of Dismissal with Prejudice (Filing No. 79). The Stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and it shall be approved. Accordingly,

IT IS ORDERED:

1. The Stipulation of Dismissal with Prejudice (Filing No. 79) is approved, and the relief requested therein shall be granted;
2. The Amended Complaint and all claims in this matter are dismissed with prejudice; and
3. The parties shall pay their own costs and attorney's fee unless otherwise agreed by and between them.

Dated this 22nd day of September, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Court Judge